

LL.B.6sem.

C.P.C.

Arrest And Attachment Before judgment.

Order.38.sec.94.95.

By.Banshlochan Prasad.

Before Judgement
O-38 R5-13.

* Grounds :- R-5

* Principles : $\Rightarrow$

(a) J. Sinha in Prem Raj vs Raneck Gazi 1951 Cal.

(b) C.J. Dawson & Miller in Bharat Tobacco Ltd vs Maula Sahab 1980 Gujrat

(c) S.C. in Sardar Govind Rao vs Dersi Sahay 1982 S.C.

* Process : $\Rightarrow$ R. 6 : $\Rightarrow$ * Chance of hearing
* Security / Attachment
in Case of denial.

* R-7 : $\Rightarrow$ How Attach?

* R-8 : $\Rightarrow$ Adjustment of claims?

* R-9 : $\Rightarrow$ When attachment order will withdraw

* R-10 : $\Rightarrow$ Third party interest?

* R-11 : $\Rightarrow$ Reattachment in execution?

* R-12 : $\Rightarrow$ Properties which are exempted from attachment.

* Sec-95 :- where plaintiff got order on insufficient grounds?